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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/961,234	09/24/2001	William A. Royall JR.	ROY03 001	6263

7590 05/13/2004
Duane Morris LLP
1667 K Street, N.W.
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Washington, DC 20006

EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/961,234

Applicant(s)

ROYALL ET AL.

Examiner

Jean M Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 9-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1 1/2.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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DETAILED ACTION

1. This office action is in response to the election of the restriction requirement filed on April 23, 2004, in which claims 1-8 are presented for examination.

Remark

2. In the restriction requirement mailed on March 23, 2004, the examiner has indicated that Group I contains claims 1-8 and Group II contains claims 7-11. That was a typo error. Instead, the examiner meant to say Group I contains claims 1-8 and Group II contains claims 9-11.

Information Disclosure Statement

3. The information disclosure statement filed September 25, 2001 complies with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been placed in the application file. The information referred to therein has been considered as to the merits.

Claim Objections

4. Claim 1 is objected to because of the following informalities: claim 1 line 5, after "institution" please delete ":" and insert --;--.. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

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international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Mikurak US patent no. 6,606,744.

As to claim 1, Mikurak discloses the claimed "accessing a candidate database containing personal information" (col.130, lines 3-7; col.141, lines 18-55); "profiling the candidates according to criteria established by the educational institution" (col.142, lines 1-8); "segmenting the profiled candidates into a target group" (col.142, lines 1-8, and lines 45-49); "providing a web site containing links to a survey and to the partial application" (col.141, lines 1-55); "assigning a unique access number to each candidate in the target group" (col.141, lines 1-55; col.149, lines 53-col.150, line 18); "electronically mailing each candidate in the target group the assigning PIN and an invitation to use the PIN to access the web site" (col.157, line 35-col.158, line 27; col.158, lines 33-61); "providing each candidate accessing the web site and indicating a continuing interest in the educational institution with electronic access to a partial application" (col.147, lines 25-44); "for each candidate who electronically accessed a partial application, customizing the partial application with personal information from the database" (col.146, lines 35-48; col.155, line 25-col.156, line 46); "compiling the partial applications which have been electronically completed" (col.157, line 62-col.158, line 27); and "transmitting the partial applications to the educational institution" (col.156, lines 55-62; col.157, lines 2-25).

As to claim 3, Mikurak discloses the claimed "updating the database with information from the partial application" (col.141, lines 18-55; col.149, lines 53-col.150, line 18; col.146, lines 35-48; col.155, line 25-col.156, line 46).

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As to claim 2, Mikurak discloses the claimed “providing a personalized acknowledgement of each partial application received” (col.141, lines 18-55; col.149, lines 53-col.150, line 18; col.146, lines 35-48; col.155, line 25-col.156, line 46).

As to claim 4, Mikurak discloses the claimed “providing electronic access through the use of the PIN to a full application customized with personal information from the updated database” (col.141, lines 18-55; col.149, lines 53-col.150, line 18; col.146, lines 35-48; col.155, line 25-col.156, line 46).

As to claim 5, Mikurak discloses the claimed “offering each candidate invited to submit a complete application an incentive to submit the full application” (col.141, lines 18-55; col.149, lines 53-col.150, line 18; col.146, lines 35-48; col.155, line 25-col.156, line 46).

As to claim 6, Mikurak discloses the claimed “wherein the incentive is selected using criteria established by the educational institution for the target group” (col.141, lines 18-55; col.149, lines 53-col.150, line 18; col.146, lines 35-48; col.155, line 25-col.156, line 46).

As to claim 7, the limitations of claim 7 have been noted in the rejection of claim 1 above. In addition, Mikurak discloses the claimed “updating the database with information from the web based survey” (col.141, lines 18-55; col.149, lines 53-col.150, line 18; col.146, lines 35-48; col.155, line 25-col.156, line 46); and “acknowledging completion of the partial application and

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providing an opportunity to electronically access and complete a full application” (col.141, lines 18-55; col.149, lines 53-col.150, line 18; col.146, lines 35-48; col.155, line 25-col.156, line 46).

As to claim, Mikurak discloses the claimed “compiling and forwarding partial applications to the educational institution” (col.141, lines 18-55; col.149, lines 53-col.150, line 18; col.146, lines 35-48; col.155, line 25-col.156, line 46).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035. The examiner can normally be reached on Monday - Friday (12:00pm - 7:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'JMC', with a horizontal line extending from the end of the signature.

Jean M. Corrielus

Patent Examiner

May 11, 2004